

LAW OFFICE OF VICTOR J. BAKKE

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Attorneys for Defendant
JOCELYN GODOY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. CR 21-00036 DKW
)	
vs.)	[18 U.S.C. §§1343 and 1346]
)	
JOCELYN GODOY,)	FIFTH STIPULATION AND
)	ORDER CONTINUING TRIAL
Defendant.)	DATE AND EXCLUDING TIME
)	UNDER THE SPEEDY TRIAL ACT
)	
)	Old Trial Date: August 29, 2022
)	New Trial Date: January 23, 2023
)	

**FIFTH STIPULATION AND ORDER CONTINUING TRIAL DATE
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT**

A. Defendant, JOCELYN GODOY and the UNITED STATES OF AMERICA, through their respective attorneys, hereby agree and stipulate to continue the trial in this case and to exclude the time period from the date this Order is signed to and including the new trial date from computation under the Speedy Trial Act. The reason for the continuance is that defense counsel needs adequate time to continue to

review the extensive discovery produced by the Government, continue to thoroughly investigate potential factual and legal defenses, file any appropriate motions, pursue plea negotiations, and consult with an immigration attorney.

B. The parties further agree that the ends of justice served by the continuance outweigh the best interests of the defendant and the public in a speedy trial, and:

1. The failure to grant such a continuance would be likely

- ☐ To make a continuation of such proceeding impossible
- ☒ To result in a miscarriage of justice.

2. The case is so

- ☐ Unusual
- ☐ Complex due to the
- ☐ Number of defendants
- ☐ Nature of the prosecution
- ☐ Existence of novel questions of fact or law

that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act.

3. The failure to grant the continuance would

- ☐ Deny the defendant reasonable time to obtain counsel

- ☐ Unreasonably deny the defendant continuity of counsel
- ☐ Unreasonably deny the government continuity of counsel
- ☒ Deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence
- ☐ Deny counsel for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

C. The parties further agree that the period of time from the date this Order is signed to and including January 23, 2023 constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. "3161(h)(7)(A), (h)(7)(B), and (h)(6).

DATED: Honolulu, Hawaii, _____.

/s/ Victor J. Bakke
VICTOR J. BAKKE

Attorneys for Defendant
JOCELYN GODOY

/s/ Craig S Nolan
CRAIG S. NOLAN
MICHAEL NAMMAR
Assistant U.S. Attorneys

Attorneys for
UNITED STATES OF AMERICA

**ORDER CONTINUING TRIAL
AND EXCLUDING SPEEDY TRIAL ACT TIME**

The above Stipulation Continuing Trial Date and Excluding Time Under the Speedy Trial Act is hereby approved, and the agreements set forth in paragraphs A, B, and C of the Stipulation are adopted as findings by the Court. For the reasons stated, IT IS HEREBY ORDERED:

- (1) the jury selection and trial are set for January 23, 2023, at 9:00 a.m., before Derrick K. Watson, United States District Judge;
- (2) the final pretrial conference is set for December 27, 2022 at 9:30 a.m., before Wes Reber Porter, United States Magistrate Judge.

IT IS FURTHER ORDERED that the period of time from the date this Order is signed to and including January 23, 2023, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A)(h)(7)(B), and (h)(6).

DATED: August 1, 2022 at Honolulu, Hawai'i.



/s/ Derrick K. Watson
Derrick K. Watson
United States District Judge

**United States of America v. Jocelyn Godoy, CR 21-00036 DKW; FIFTH
STIPULATION AND ORDER CONTINUING TRIAL DATE AND
EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT**